IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	**)**	
	)	**2:09-cr-00005**
v.	**)**	
	)	
CHRISTINA MARIE KORBE	**)**	

MEMORANDUM ORDER

Presently before the Court for disposition is the MOTION IN LIMINE #4 TO PRECLUDE OFFICERS OR AGENTS TESTIMONY WITHOUT PRIOR PRODUCTION OF ROUGH NOTES filed by Defendant (Document No. 319), to which the government has responded (Document No. 332).

Defendant "seeks an Order *in limine* precluding any law enforcement witnesses from making any reference to the rough notes taken in his or her investigation of the above-captioned matter and to have the notes turned over so that the defendant can introduce them as evidence as may be necessary."

As the government correctly notes, this exact request was previously ruled upon by the Court in its Memorandum Order of Court filed June 10, 2010, wherein the Court ordered that all law enforcement officers in this case were to retain their rough notes and denied without prejudice Defendant's request that the notes of law enforcement officers be produced. *See* Defendant's Motion for Discovery (Document No. 94) and the Court's Memorandum Order ruling on ten pre-trial discovery motions (Document No. 205, at 13-14). Therefore, this renewed request for law enforcement's rough notes is redundant inasmuch as those materials have already been ordered to be disclosed.

The government has consistently acknowledged its disclosure obligations and has identified the timing of its disclosures obligations, which the Court has found to be reasonable.

Specifically, the government has stated that it is "unaware of any exculpatory *Brady* material pertaining to Korbe" and has represented that it will provide Defendant with all *Brady/Giglio* impeachment information and Jencks Act materials at least seven (7) days prior to trial.

Accordingly, the Motion in Limine #4 To Preclude Officers or Agents Testimony Without Prior Production of Rough Notes is **DENIED** as moot due to a prior ruling.

So **ORDERED** this 8th day of November, 2010**.**

BY THE COURT:

s/ Terrence F. McVerry
United States District Court Judge

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